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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/580,498

05/23/2006

Bei Wang

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06/12/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

CRANFORD, MICHAEL D

ART UNIT

PAPER NUMBER

3692

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/580,498	Applicant(s) WANG ET AL.	
	Examiner MICHAEL D. CRANFORD	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10580498.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on 23 May 2006.
2. Claims 1-12 are currently pending and have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being unpatentable over Ginter et al. (US 5,892,900).

5. **Claim 1:**

Ginter et al. shown, discloses the following limitations:

- *making statistics of the information of the first registration of the optical disc by a user to produce a statistical result* (see at least column 9 lines 57-61...VDE provides a secure, distributed electronic transaction management system for controlling the distribution and/or other usage of electronically provided and/or stored information)
- *comparing the statistical result with a preset value* (see at least column 124 lines 30-34....the event summary data structures uses a fixed event number to index into a look up table. the look up table contains a value that can be configured as a counter

or a counter plus limit. counter mode may be used by VDE administrators to determine device usage.....current values are used in this calculation)

- *determining the credit of the user according to the result by comparison (see at least column 55 lines 33-37....a "report receiver" may receive reports such as usage reports from content users. A "permissioning agent" may distribute "rules and controls" granting usage or distribution permissions based on a profile of a consumer's credit worthiness)*

6. Claim 2:

Ginter et al. shown, discloses the following limitations:

- *amount of optical discs first registered by the user (see at least column 8 lines 54-56.... VDE contains user information such as: commercially distributed electronic information such as reference databases, movies, games, advertising and cost related to the aforementioned)*

7. Claim 3:

Ginter et al. shown, discloses the following limitations:

- *an amount of money spent by the user on the first registration of the optical disc (see at least column 9 lines 9-12....VDE provides a broad-spectrum, fundamentally configurable and portable, electronic transaction control, distributing, usage, reporting, registration, and payment operating environment)*

8. Claim 4:

Ginter et al. shown, discloses the following limitations:

- *amount of money is that spent on buying the optical discs (see at least column 9 lines 9-12....VDE provides a broad-spectrum, fundamentally configurable and portable, electronic transaction control, distributing, usage, reporting, registration, and payment operating environment)*

9. Claim 5:

Ginter et al. shown, discloses the following limitations:

- *amount of money is that spent on renting the optical discs* (see at least column 9 lines 9-12....VDE provides a broad-spectrum, fundamentally configurable and portable, electronic transaction control, distributing, usage, reporting, registration, renting/purchasing and payment operating environment)

10. Claim 6:

Ginter et al. shown, discloses the following limitations:

- *conversion value that concerns the credit of the user* (see at least column 124 lines 30-34....the event summary data structures uses a fixed event number to index into a look up table. the look up table contains a value that can be configured as a counter or a counter plus limit.....containing information such as credit.....counter mode may be used by VDE administrators to determine device usage)

11. Claim 7:

Ginter et al. shown, discloses the following limitations:

- *amount of optical discs, an amount of money, and a conversion value* (see at least column 9 lines 9-12....VDE provides a broad-spectrum, fundamentally configurable and portable, electronic transaction control, distributing, usage, reporting, registration, renting/purchasing and payment operating environment....information is used for analysis)

12. Claim 8:

Ginter et al. shown, discloses the following limitations:

- *statistics device for making statistics of the information of the first registration of the optical disc by a user to produce a statistical result* (see at least column 9 lines 57-61...VDE provides a secure, distributed electronic transaction management system for controlling the distribution and/or other usage of electronically provided and/or stored information)

- *comparing device for comparing the statistical result with a preset value to produce a result by comparison* (see at least column 124 lines 30-34....the event summary data structures uses a fixed event number to index into a look up table. the look up table contains a value that can be configured as a counter or a counter plus limit. counter mode may be used by VDE administrators to determine device usage.....current values are used in this calculation)
- *determining device for determining the credit of the user according to the result by comparison* (see at least column 55 lines 33-37....a "report receiver" may receive reports such as usage reports from content users. A "permissioning agent" may distribute "rules and controls" granting usage or distribution permissions based on a profile of a consumer's credit worthiness)

13. Claim 9:

Ginter et al. shown, discloses the following limitations:

- *statistics device for making statistics of the information of the first registration of the optical disc by a user base on the information of the first registration by a user contained in the received information to produce a statistical result* (see at least column 9 lines 57-61...VDE provides a secure, distributed electronic transaction management system for controlling the distribution and/or other usage of electronically provided and/or stored information)
- *comparing device for comparing the statistical result with a preset value to produce a result by comparison* (see at least column 124 lines 30-34....the event summary data structures uses a fixed event number to index into a look up table. the look up table contains a value that can be configured as a counter or a counter plus limit. counter mode may be used by VDE administrators to determine device usage.....current values are used in this calculation)
- *determining device for determining the credit of the user according to the result by comparison* (see at least column 55 lines 33-37....a "report receiver" may receive

reports such as usage reports from content users. A "permissioning agent" may distribute "rules and controls" granting usage or distribution permissions based on a profile of a consumer's credit worthiness)

14. Claim 10:

Ginter et al. shown, discloses the following limitations:

- *storage device for recording the information of the credit of users* (see at least column 9 lines 9-12....VDE provides a broad-spectrum, fundamentally configurable and portable, electronic transaction control, distributing, usage, reporting, registration, renting/purchasing and payment operating environment)

15. Claim 11:

Ginter et al. shown, discloses the following limitations:

- *storage device for recording the information of the sales of optical discs* (see at least column 9 lines 9-12....VDE provides a broad-spectrum, fundamentally configurable and portable, electronic transaction control, distributing, usage, reporting, registration, renting/purchasing and payment operating environment)

16. Claim 12:

Ginter et al. shown, discloses the following limitations:

- *storage device for recording the information of the rents of optical discs* (see at least column 9 lines 9-12....VDE provides a broad-spectrum, fundamentally configurable and portable, electronic transaction control, distributing, usage, reporting, registration, renting/purchasing and payment operating environment)

CONCLUSION

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Michael D. Cranford** whose telephone number is **571-270-3106**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Kambiz Abdi** can be reached at **571-272-6705**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark**

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/ Michael Cranford / ,Examiner, Art Unit 4143

/Frantzy Poinvil/
Primary Examiner, Art Unit 3692

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Art Unit: 3692

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